

Notice of Allowability

Application No.

10/089,891

Applicant(s)

GOOCH ET AL.

Examiner

Anthony T. Dougherty

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 10/21/04.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ The drawings filed on 19 March 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/21/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gary Edwards on 12/16/2004.

The application has been amended as follows:

Claim 1 line 4 replace "with respect to" with --coincident with--

Claim 2 line 4 replace "in respect of" with --coincident with--

2. The following is an examiner's statement of reasons for allowance:

The primary reason for the allowance of claims 1-13 is the inclusion of the method steps being locating an assembly point by determining the location of the assembly point physically located on the second part, measuring a portion of the surface of a first part spaced away from the second part, calculating and indicating the assembly point on the surface of the first part at a point which is intersected perpendicularly by a vector passing through the assembly location physically located on the second part. It is these steps found in each of the claims, as they are

Art Unit: 2863

claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 4,651,283 to Sciaky et al. because it teaches locating assembly points on a surface of a first part to be assembled with a second part.

U.S. Patent No. 4,973,817 to Kanno et al. because it teaches laser welding to join panels of a vehicle body main part.

U.S. Patent No. 5,427,300 to Quagline because it teaches locating and assembling parts based on specific computer controlled points.

U.S. Patent No. 5,142,118 to Schlatter because it teaches laser welding of sheet metal including computer control of assembly point location.

U.S. Patent No. 5,115,115 to Alborante because it teaches locating and assembling part based on computer controlled assembly point location.

U.S. Patent No. 5,064,991 to Alborante because it teaches locating and assembling part based on computer controlled assembly point location.

Art Unit: 2863

U.S. Patent No. 5,380,978 to Pryor because it teaches locating an assembly point on a first part at which point the first part is joined to a second part (see abstract) by measuring and determining an assembly location with respect to a second part (see column 20 line 16 through line 39 & column 21 line 1 through line 11), measuring a portion of a surface of a first part (see column 24 line 31 through line 38), the surface being spaced away from the second part (see Figures 5a and 5b), so as to define the position and orientation of the surface (see column 48 line 6 through line 13), calculating as the assembly point on the surface of the first part (see column 24 line 38 through line 47), a point at which the surface of the first part is intersected by a vector passing through the assembly location (see Figures 5a and 5b), and indicating the calculated assembly point on the surface of the first part (see column 21 line 12 through line 24). However, Pryor fails to disclose the assembly point is a point at which the first part surface is intersected perpendicularly by a vector passing through the assembly location or that the assembly location is coincident with the second part.


Art Unit: 2863

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony T. Dougherty whose telephone number is (571) 272-2273. The examiner can normally be reached on Monday through Friday from 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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